

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

GENE ALLEN,) 3:03-cv-00541-ECR-VPC
)
Petitioner,) MINUTES OF THE COURT
)
vs.) DATE: March 21, 2011
)
STATE OF NEVADA, *et al.*,)
)
Respondents.)
_____)

PRESENT: _____ U. S. DISTRICT JUDGE
Deputy Clerk: _____ COLLEEN LARSEN Reporter: _____ NONE APPEARING
Counsel for Plaintiff(s) _____ NONE APPEARING
Counsel for Defendant(s) _____ NONE APPEARING

MINUTE ORDER IN CHAMBERS

Petitioner's motion entitled " Motion to Vacate a Judgment Denying H/C Relief" (#26), filed June 30, 2010, is **DENIED**.

In the present case, the Court dismissed this action on October 9, 2003, because the petition was not cognizable (#3). Petitioner filed notices of appeal (## 8, 10), on December 23, 2003, and January 8, 2004, respectively. The Court previously denied Petitioner's application for a certificate of appealability on February 20, 2004 (#14). On March 29, 2004, the Court of Appeals denied Petitioner's request for a certificate of appealability, and denied all pending motions, thereby terminating the appeal (#20).

This is a closed case as of March 29, 2004. More than six years later, Petitioner has filed this motion (#26). Petitioner is not entitled, under the circumstances of this case, to vacate the judgment previously entered by the Court of Appeals.

LANCE S. WILSON, CLERK

By _____ /s/
Deputy Clerk